**LITE DEPALMA GREENBERG & RIVAS, LLC**
Joseph J. DePalma, Esq.
Two Gateway Center, 12th Floor
Newark, New Jersey 07102
Telephone: (973) 623-3000
Facsimile: (973) 623-0858

**ROBBINS UMEDA & FINK, LLP**
Brian J. Robbins, Esq.
Steven J. Simerlein, Esq.
Rebecca A. Peterson, Esq.
610 West Ash Street, Suite 1800
San Diego, California 92101
Telephone: (619) 525-3990
Facsimile: (619) 525-3991

**SHUMAN & BERENS LLP**
Kip B. Shuman, Esq.
Jeffrey A. Berens, Esq.
801 East 17th Avenue
Denver, Colorado 80218
Telephone: (303) 861-3003
Facsimile: (303) 830-6920

Attorneys for Plaintiffs and the Class

**UNITED STATES DISTRICT COURT**
**DISTRICT OF NEW JERSEY**

| | |
|---|---|
| STEVE COLQUITT and MARIANNA CUTTER, Individually and On Behalf of All Others Similarly Situated,<br><br>Plaintiffs,<br><br>vs.<br><br>MENU FOODS, INC., MENU FOODS INCOME FUND, MENU FOODS MIDWEST CORPORATION and MENU FOODS SOUTH DAKOTA INC.,<br><br>Defendants. | Civil Action No. _______________<br><br>**CERTIFICATE OF** <br>**NON-ARBITRABILITY** |

I, Joseph J. DePalma, of full age, hereby certify that pursuant to L. Civ. R. 201.1 the within

131864 v1

Dockets.Justia.com

matter is not arbitrable, being that the Complaint seeks damages that are in an excess of $150,000 and injunctive relief.

Dated: April 9, 2007

Joseph J. DePalma, Esq.